IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 1735 OF 2003

Arthur Basil Pereira ... Petitioner

Vs.

Smt. Florence George D'Souza & Ors. Respondents

Mr. Roque D'Mello for the petitioner.

Ms. M.M.Deshmukh, P.P. for State.

CORAM: S.K.SHAH,J.

DATE : 12th June,2006.

P.C.

1. Heard learned Counsel for the petitioner as well as the State.

2. I have gone through the order passed by the learned Additional Sessions Judge, Greater Mumbai as also the evidence recorded in the matter. In view of the admission given by the petitioner himself in cross-examination that till 1982 he was residing along with his wife and children with his parents and since March1982, he started residing separately. This takes away the claim of the petitioner of being in possession of the premises.

3. Hence, I do not find any illegality or imprpriety in the order passed by the learned Additional Sessions Judge, Greater Mumbai. Consequently, there is no merit in the Writ Petition. The Writ Petition is dismissed.

(S.K.SHAH,J.)